

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

NATTY PAINT LLC,

§

Plaintiff,

§

v.

1:22-CV-1193-RP

THE INDIVIDUALS, BUSINESS
ENTITIES, AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON
EXHIBIT 1,

§

Defendants.

§

ORDER

Before the Court is the report and recommendation from United States Magistrate Judge Susan Hightower concerning Plaintiff Natty Paint LLC’s (“Natty Paint”) Motion for Default Judgment and Permanent Injunction, (Dkt. 41). (R. & R., Dkt. 60). Pursuant to 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Hightower issued her report and recommendation on November 8, 2023. (*Id.*). As of the date of this order, no party has filed objections to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge’s proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de novo review by the district court. When no objections are timely filed, a district court can review the magistrate’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee’s note (“When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”).

Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge, (Dkt. 60), is **ADOPTED**. Plaintiff's Motion for Default Judgment and Permanent Injunction, (Dkt. 41), is **GRANTED**.

The Court will enter default judgment against each Defaulting Defendant under Rule 55(b).¹

The Defaulting Defendants are **ENJOINED** from infringing Natty Paint's copyright in the "A Gentlewoman's Agreement" design and from displaying for sale, selling, or distributing the infringing products.

Judgment will be awarded in favor of Natty Paint. Natty Paint will recover:

- (1) \$10,000 in statutory damages under 17 U.S.C. § 504(c) from each Defaulting Defendant, and
- (2) Attorneys' fees and costs if Natty Paint submits a timely declaration of fees and costs **on or before December 18, 2023**.

SIGNED on December 4, 2023.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE

¹ The Defaulting Defendants are: Does No. 1, 2, 5 to 12, 14, 15, 17, 18, 20 to 22, 24 to 26, 28, 30 to 32, 35, 36, 38 to 44, 48 to 52, 55 to 60, 62, 64, 66 to 68, 72, 77, 78, 80, 83 to 86, 89, 93 to 98, 100, 102, 103, 105, 107 to 110, 117 to 124, 127, 128, 130 to 135, 137, 138, 140, 143, 146, 149 to 153, 156 to 162, 165 to 168, 170 to 178, 180, 183 to 185, 187, 189-90, 196 to 198, 201, 204, 205, 207, 209, 211, 213, 214, 216, 218 to 222, 224 to 226, 231, 232, 234 to 240, 244, and 246 to 248.